

## PATENT APPLICATION TRANSMITTAL LETTER

Mail Stop Patent Application  
 Commissioner for Patent  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Case Docket No. 1.260.03  
 Customer Number 4219

Transmitted herewith for filing are papers related to the patent application of:

Inventor(s): **JOHN CADEN; JOHN HAWK; PATRICK JACOBS and MARTIN THOMPSON**

**EXERCISE ASSEMBLY FOR THE UPPER BODY**

Enclosed are:

- ☒ 2 sheet(s) of drawings.  
☒ Nonpublication Request Under 35 U.S.C. 122(b)(2)(B)(i) Form  
 An assignment of the invention to: \_\_\_\_\_  
 Certified copy(ies) of the following application(s) the priority of which is hereby claimed under 35 USC §119: \_\_\_\_\_  
☒ A verified statement to establish small entity status under 37 C.F.R. 1.9 and 37 CFR 1.27

The filing fee has been calculated as shown below:

	No. Filed	No. Extra	Small Entity		Other than A Small Entity	
			Rate	Fee	Rate	Fee
Basic Fee				\$385		\$770
Total Claims	32 - 20 = 12		X 9 =	108	x 18 =	
Independent claims	2 - 3 = 0		X 43 =		X 86 =	
Multiple claims presented			X145 =		X290 =	
Non-English Language						
			Total \$493		Total \$	

- [ ] Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$\_\_\_\_\_.  
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 [ X ] A check in the amount of **\$493.00** to cover the filing fee is enclosed.  
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 [ ] Any additional filing fees required under 37 CFR 1.16.  
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 [ ] Any filing fees under 37 CFR 1.16 for presentation of extra claims.  
 [ ] Any patent application processing fees under 37 CFR 1.17.  
 [ ] The issue fee set in 37 CFR 1.18 at or before mailing of the Notice of Allowance pursuant to 37 CFR 1.311(b).

10-17-2003

Date  
 FOR: MALLOY & MALLOY, P.A.  
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16235 U.S. PTO  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: John Caden; John Hawk; Patrick Jacobs and  
Martin Thompson

Serial No.:

Filing Date: October 17, 2003

For: EXERCISE ASSEMBLY FOR THE UPPER BODY

Customer Number 4219

2800 S.W. Third Avenue  
Historic Coral Way  
Miami, Florida 33129  
October 17, 2003

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

CERTIFICATE OF EXPRESS MAILING

I HEREBY CERTIFY that this correspondence is being deposited by United States Express Mail, Label No. EL-920-409-669-US, in an envelope addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, this 17 day of October, 2003.

Respectfully submitted,

MALLOY & MALLOY, P.A.  
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By: 

Peter A. Matos  
Reg. No. 37,884

Date: 10-17-2003

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**NONPUBLICATION REQUEST  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor

JOHN CADEN, et al.

Title

EXERCISE ASSEMBLY FOR THE UPPER BODY

Attorney Docket Number

1.260.03

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

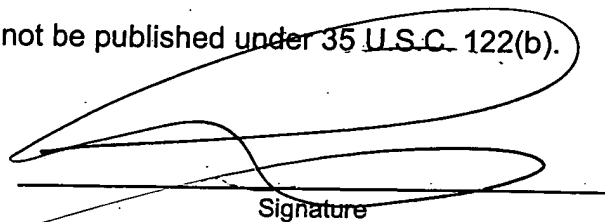
I hereby request that the attached application not be published under 35 U.S.C. 122(b).

10-17-2003

Date

(305) 858-8000

Telephone number



Signature

PETER A. MATOS  
ATTORNEY FOR APPLICANT  
Reg. No.: 37,884

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

This collection of information is required by 37 CFR 1.213(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.